

Senator Curtis S. Bramble proposes the following substitute bill:

EXECUTIVE COMPENSATION

2005 FIRST SPECIAL SESSION

STATE OF UTAH

Sponsor: Jeff Alexander

LONG TITLE

General Description:

This bill increases salaries and salary ranges for certain state officers and employees.

Highlighted Provisions:

This bill:

► increases salaries for the governor, lieutenant governor, attorney general, state auditor, and state treasurer;

► increases salary ranges for certain identified state officers;

► enhances salary ranges for:

- the Commissioner of Agriculture and Food;
- the Commissioner of Insurance;
- the Commissioner of the Department of Financial Institutions;
- the Executive Director of the Department of Commerce;
- the Executive Director of the Department of Community and Culture;
- the Executive Director of the Department of Corrections;
- the Commissioner of the Department of Public Safety;
- the Executive Director of the Department of Natural Resources;
- the Director of the Governor's Office of Planning and Budget;
- the Executive Director of the Department of Administrative Services;
- the Executive Director of the Department of Environmental Quality; and



- the Director, Governor's Office of Economic Development;
- provides an alternative salary range when the Executive Director of the Department of Health is a licensed physician; and
- makes technical corrections.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an effective date.

Utah Code Sections Affected:**AMENDS:****67-22-1 (Effective 05/02/05)**, as last amended by Chapter 276, Laws of Utah 2005**67-22-2 (Superseded 07/01/06)**, as last amended by Chapters 148 and 169, Laws of Utah 2005**67-22-2 (Effective 07/01/06)**, as last amended by Chapters 148, 169 and 181, Laws of Utah 2005*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **67-22-1 (Effective 05/02/05)** is amended to read:**67-22-1 (Effective 05/02/05). Compensation -- Constitutional offices.**

(1) (a) The Legislature fixes salaries for the constitutional offices as follows:

(i) Governor [~~\$101,600~~] \$104,100(ii) Lieutenant Governor [~~\$79,000~~] \$81,000[(iii) ~~Attorney General~~] [~~\$85,400~~][(iv)] (iii) State Auditor [~~\$81,500~~] \$83,500[(v)] (iv) State Treasurer [~~\$79,000~~] \$81,000

(b) Beginning July 1, 2005, the annual salary of the attorney general shall be 95% of the governor's salary.

(2) The Legislature fixes benefits for the constitutional offices as follows:

(a) Governor:

(i) a vehicle for official and personal use;

(ii) housing;

- (iii) household and security staff;
- (iv) household expenses;
- (v) retirement benefits as provided in Title 49;
- (vi) health insurance;
- (vii) dental insurance;
- (viii) basic life insurance;
- (ix) workers' compensation;
- (x) required employer contribution to Social Security;
- (xi) long-term disability income insurance; and
- (xii) the same additional state paid life insurance available to other noncareer service employees.
- (b) Lieutenant governor, attorney general, state auditor, and state treasurer:
- (i) a vehicle for official and personal use;
- (ii) the option of participating in a state retirement system established by Title 49, Chapter 12, Public Employees' Contributory Retirement Act, or Chapter 13, Public Employees' Noncontributory Retirement Act, or in a deferred compensation plan administered by the State Retirement Office, in accordance with the Internal Revenue Code and its accompanying rules and regulations;
- (iii) health insurance;
- (iv) dental insurance;
- (v) basic life insurance;
- (vi) workers' compensation;
- (vii) required employer contribution to Social Security;
- (viii) long-term disability income insurance; and
- (ix) the same additional state paid life insurance available to other noncareer service employees.
- (c) Each constitutional office shall pay the cost of the additional state-paid life insurance for its constitutional officer from its existing budget.
- Section 2. Section **67-22-2 (Superseded 07/01/06)** is amended to read:
- 67-22-2 (Superseded 07/01/06). Compensation -- Other state officers.**
- (1) (a) The governor shall establish salaries for the following state officers within the

88 following salary ranges fixed by the Legislature:

89	State Officer	Salary Range
90	[Commissioner of Agriculture and Food]	[\$65,200 - \$88,400]
91	[Commissioner of Insurance]	[\$65,200 - \$88,400]
92	Commissioner of the Labor Commission	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
93	Director, Alcoholic Beverage Control	
94	Commission	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
95	[Commissioner, Department of]	
96	[Financial Institutions]	[\$65,200 - \$88,400]
97	Members, Board of Pardons and Parole	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
98	[Executive Director, Department]	
99	[of Commerce]	[\$65,200 - \$88,400]
100	Executive Director, Commission on	
101	Criminal and Juvenile Justice	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
102	Adjutant General	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
103	Chair, Tax Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
104	Commissioners, Tax Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
105	[Executive Director, Department of]	
106	[Community and Culture]	[\$70,600 - \$95,200]
107	Executive Director, Tax Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
108	Chair, Public Service Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
109	Commissioners, Public Service	
110	Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
111	[Executive Director, Department]	
112	[of Corrections]	[\$76,800 - \$103,600]
113	[Commissioner, Department of Public Safety]	[\$76,800 - \$103,600]
114	[Executive Director, Department of]	
115	[Natural Resources]	[\$76,800 - \$103,600]
116	[Director, Governor's Office of Planning]	
117	[and Budget]	[\$76,800 - \$103,600]
118	[Executive Director, Department of]	

119	[Administrative Services	\$76,800 - \$103,600]
120	Executive Director, Department of	
121	Human Resource Management	[\$76,800 - \$103,600] <u>\$78,700 - \$106,200</u>
122	[Executive Director, Department of]	
123	[Environmental Quality	\$76,800 - \$103,600]
124	Executive Director, Department of	
125	Workforce Services	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
126	Executive Director, Department of	
127	Health, <u>Nonphysician</u>	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
128	Executive Director, Department	
129	of Human Services	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
130	Executive Director, Department	
131	of Transportation	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
132	Executive Director, Department	
133	of Information Technology	
134	Services	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
135	Director, Governor's Office	
136	of Economic Development	[\$76,800 - \$103,600] <u>\$85,700 - \$115,700</u>
137	<u>Commissioner of Agriculture and Food</u>	<u>\$85,700 - \$115,700</u>
138	<u>Commissioner of Insurance</u>	<u>\$85,700 - \$115,700</u>
139	<u>Commissioner, Department</u>	
140	<u>of Financial Institutions</u>	<u>\$85,700 - \$115,700</u>
141	<u>Executive Director, Department</u>	
142	<u>of Commerce</u>	<u>\$85,700 - \$115,700</u>
143	<u>Executive Director, Department</u>	
144	<u>of Community and Culture</u>	<u>\$85,700 - \$115,700</u>
145	<u>Executive Director, Department</u>	
146	<u>of Corrections</u>	<u>\$85,700 - \$115,700</u>
147	<u>Commissioner, Department</u>	
148	<u>of Public Safety</u>	<u>\$85,700 - \$115,700</u>
149	<u>Executive Director, Department</u>	

150	<u>of Natural Resources</u>	<u>\$85,700 - \$115,700</u>
151	<u>Director, Governor's Office</u>	
152	<u>of Planning and Budget</u>	<u>\$85,700 - \$115,700</u>
153	<u>Executive Director, Department</u>	
154	<u>of Administrative Services</u>	<u>\$85,700 - \$115,700</u>
155	<u>Executive Director, Department</u>	
156	<u>of Environmental Quality</u>	<u>\$85,700 - \$115,700</u>

157 (b) If the executive director of the Department of Health is a licensed physician, the
158 governor shall establish a salary within the highest physician salary range established by the
159 Department of Human Resource Management.

160 (2) (a) The Legislature fixes benefits for the state offices outlined in Subsection (1) as
161 follows:

162 (i) the option of participating in a state retirement system established by Title 49, Utah
163 State Retirement and Insurance Benefit Act, or in a deferred compensation plan administered
164 by the State Retirement Office in accordance with the Internal Revenue Code and its
165 accompanying rules and regulations;

166 (ii) health insurance;

167 (iii) dental insurance;

168 (iv) basic life insurance;

169 (v) unemployment compensation;

170 (vi) workers' compensation;

171 (vii) required employer contribution to Social Security;

172 (viii) long-term disability income insurance;

173 (ix) the same additional state-paid life insurance available to other noncareer service
174 employees;

175 (x) the same severance pay available to other noncareer service employees;

176 (xi) the same sick leave, converted sick leave, educational allowances, and holidays
177 granted to Schedule B state employees, and the same annual leave granted to Schedule B state
178 employees with more than ten years of state service;

179 (xii) the option to convert accumulated sick leave to cash or insurance benefits as
180 provided by law or rule upon resignation or retirement according to the same criteria and

procedures applied to Schedule B state employees;

(xiii) the option to purchase additional life insurance at group insurance rates according to the same criteria and procedures applied to Schedule B state employees; and

(xiv) professional memberships if being a member of the professional organization is a requirement of the position.

(b) Each department shall pay the cost of additional state-paid life insurance for its executive director from its existing budget.

(3) The Legislature fixes the following additional benefits:

(a) for the executive director of the State Tax Commission a vehicle for official and personal use;

(b) for the executive director of the Department of Transportation a vehicle for official and personal use;

(c) for the executive director of the Department of Natural Resources a vehicle for commute and official use;

(d) for the Commissioner of Public Safety:

(i) an accidental death insurance policy if POST certified; and

(ii) a public safety vehicle for official and personal use;

(e) for the executive director of the Department of Corrections:

(i) an accidental death insurance policy if POST certified; and

(ii) a public safety vehicle for official and personal use;

(f) for the Adjutant General a vehicle for official and personal use; and

(g) for each member of the Board of Pardons and Parole a vehicle for commute and official use.

(4) (a) The governor has the discretion to establish a specific salary for each office listed in Subsection (1), and, within that discretion, may provide salary increases within the range fixed by the Legislature.

(b) The governor shall apply the same overtime regulations applicable to other FLSA exempt positions.

(c) The governor may develop standards and criteria for reviewing the performance of the state officers listed in Subsection (1).

(5) Salaries for other Schedule A employees, as defined in Section 67-19-15, which are

not provided for in this chapter, or in Title 67, Chapter 8, Utah Executive and Judicial Salary Act, shall be established as provided in Section 67-19-15.

Section 3. Section **67-22-2 (Effective 07/01/06)** is amended to read:

67-22-2 (Effective 07/01/06). Compensation -- Other state officers.

(1) (a) The governor shall establish salaries for the following state officers within the following salary ranges fixed by the Legislature:

State Officer	Salary Range
[Commissioner of Agriculture and Food]	\$65,200 - \$88,400]
[Commissioner of Insurance]	\$65,200 - \$88,400]
Commissioner of the Labor Commission	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
Director, Alcoholic Beverage Control	
Commission	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
[Commissioner, Department of]	
[Financial Institutions]	\$65,200 - \$88,400]
Members, Board of Pardons and Parole	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
[Executive Director, Department]	
[of Commerce]	\$65,200 - \$88,400]
Executive Director, Commission on	
Criminal and Juvenile Justice	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
Adjutant General	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
Chair, Tax Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
Commissioners, Tax Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
[Executive Director, Department of]	
[Community and Culture]	\$70,600 - \$95,200]
Executive Director, Tax Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
Chair, Public Service Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
Commissioners, Public Service	
Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
[Executive Director, Department]	
[of Corrections]	\$76,800 - \$103,600]
[Commissioner, Department of Public Safety]	\$76,800 - \$103,600]

243	[Executive Director, Department of]	
244	[Natural Resources	\$76,800 - \$103,600]
245	[Director, Governor's Office of Planning]	
246	[and Budget	\$76,800 - \$103,600]
247	[Executive Director, Department of]	
248	[Administrative Services	\$76,800 - \$103,600]
249	[Executive Director, Department of]	
250	[Environmental Quality	\$76,800 - \$103,600]
251	Executive Director, Department of	
252	Workforce Services	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
253	Executive Director, Department of	
254	<u>Health, Nonphysician</u>	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
255	Executive Director, Department	
256	of Human Services	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
257	Executive Director, Department	
258	of Transportation	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
259	Executive Director, Department	
260	of Information Technology	
261	Services	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
262	Director, Governor's Office	
263	of Economic Development	[\$76,800 - \$103,600] <u>\$85,700 - \$115,700</u>
264	<u>Commissioner of Agriculture and Food</u>	<u>\$85,700 - \$115,700</u>
265	<u>Commissioner of Insurance</u>	<u>\$85,700 - \$115,700</u>
266	<u>Commissioner, Department</u>	
267	<u>of Financial Institutions</u>	<u>\$85,700 - \$115,700</u>
268	<u>Executive Director, Department</u>	
269	<u>of Commerce</u>	<u>\$85,700 - \$115,700</u>
270	<u>Executive Director, Department</u>	
271	<u>of Community and Culture</u>	<u>\$85,700 - \$115,700</u>
272	<u>Executive Director, Department</u>	
273	<u>of Corrections</u>	<u>\$85,700 - \$115,700</u>

274	<u>Commissioner, Department</u>	
275	<u>of Public Safety</u>	<u>\$85,700 - \$115,700</u>
276	<u>Executive Director, Department</u>	
277	<u>of Natural Resources</u>	<u>\$85,700 - \$115,700</u>
278	<u>Director, Governor's Office</u>	
279	<u>of Planning and Budget</u>	<u>\$85,700 - \$115,700</u>
280	<u>Executive Director, Department</u>	
281	<u>of Administrative Services</u>	<u>\$85,700 - \$115,700</u>
282	<u>Executive Director, Department</u>	
283	<u>of Environmental Quality</u>	<u>\$85,700 - \$115,700</u>

284 (b) If the executive director of the Department of Health is a licensed physician, the
285 governor shall establish a salary within the highest physician salary range established by the
286 Department of Human Resource Management.

287 (2) (a) The Legislature fixes benefits for the state offices outlined in Subsection (1) as
288 follows:

289 (i) the option of participating in a state retirement system established by Title 49, Utah
290 State Retirement and Insurance Benefit Act, or in a deferred compensation plan administered
291 by the State Retirement Office in accordance with the Internal Revenue Code and its
292 accompanying rules and regulations;

293 (ii) health insurance;

294 (iii) dental insurance;

295 (iv) basic life insurance;

296 (v) unemployment compensation;

297 (vi) workers' compensation;

298 (vii) required employer contribution to Social Security;

299 (viii) long-term disability income insurance;

300 (ix) the same additional state-paid life insurance available to other noncareer service
301 employees;

302 (x) the same severance pay available to other noncareer service employees;

303 (xi) the same sick leave, converted sick leave, educational allowances, and holidays
304 granted to Schedule B state employees, and the same annual leave granted to Schedule B state

employees with more than ten years of state service;

(xii) the option to convert accumulated sick leave to cash or insurance benefits as provided by law or rule upon resignation or retirement according to the same criteria and procedures applied to Schedule B state employees;

(xiii) the option to purchase additional life insurance at group insurance rates according to the same criteria and procedures applied to Schedule B state employees; and

(xiv) professional memberships if being a member of the professional organization is a requirement of the position.

(b) Each department shall pay the cost of additional state-paid life insurance for its executive director from its existing budget.

(3) The Legislature fixes the following additional benefits:

(a) for the executive director of the State Tax Commission a vehicle for official and personal use;

(b) for the executive director of the Department of Transportation a vehicle for official and personal use;

(c) for the executive director of the Department of Natural Resources a vehicle for commute and official use;

(d) for the Commissioner of Public Safety:

(i) an accidental death insurance policy if POST certified; and

(ii) a public safety vehicle for official and personal use;

(e) for the executive director of the Department of Corrections:

(i) an accidental death insurance policy if POST certified; and

(ii) a public safety vehicle for official and personal use;

(f) for the Adjutant General a vehicle for official and personal use; and

(g) for each member of the Board of Pardons and Parole a vehicle for commute and official use.

(4) (a) The governor has the discretion to establish a specific salary for each office listed in Subsection (1), and, within that discretion, may provide salary increases within the range fixed by the Legislature.

(b) The governor shall apply the same overtime regulations applicable to other FLSA exempt positions.

336 (c) The governor may develop standards and criteria for reviewing the performance of
337 the state officers listed in Subsection (1).

338 (5) Salaries for other Schedule A employees, as defined in Section 67-19-15, which are
339 not provided for in this chapter, or in Title 67, Chapter 8, Utah Executive and Judicial Salary
340 Act, shall be established as provided in Section 67-19-15.

341 Section 4. **Effective date.**

342 This bill takes effect on July 2, 2005, except that the amendments to Section 67-22-2
343 (Effective 07/01/06) take effect on July 1, 2006.